IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRD DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

And
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 3098 of 2005

Between:

B.Semaiah, S/o.B.Venkata Subbaiah,
Challapalli, Sericulture Departmentt,

Sericulture, Pottipadu, Vungutur Mandal,
Krishna District.

..... PETITIONER

AND

1. The Government of A.P.rep.by its Principal Secretary,

Agriculture & Cooperation (Vig.Cell.II) Dept.,
Sericulture Sector, Secretariat, Hyderabad-500022.
2. The Commissioner of Sericulture, A.P.Prasanna Nagar,

Jubli Hills, Hyderabad.
3 The Assistant Director of Sericulture,

Near Telphone, Exchange, Autonagar, Vijayawada-7.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or writ more in the nature of writ of certiorari or quash the same calling for the records of the 2nd respondent bearing Rc.No.3201/2000 B2 dated 9-5-2002 and the consequential orders of the 1st Respondent bearing G.O. Rt. No. 160 Agriculture & cooperation (Vig.Cell.II) Department dated 23-2-2004 and

O.A.No.3068/04, dt.5-7-2004 and set aside the same with all consequential benefits and consequently declare the impugned orders of the 2nd Respondent Rc.No.3201/2000- B2 dated 9-5-2002 and consequential orders of the 1st Respondent bearing G.O.Rt.No.160 Agricultural and cooperation(Vig.Cell.II) Department dated 23-2-2004 as illegal, arbitrary, contrary to law and procedure and also in violation of principles of the natural justice and pass such other order or orders as this Hon'ble court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.B.RANGANADH RAO

Counsel for the Respondents: GP FOR SERVICES-I

The Court at the admission stage made the following:

ORDER: (Per Hon'ble Sri Justice G. Bikshapathy)

In respect of the punishment awarded by the concerned authorities on the petitioner viz., stoppage of one increment with cumulative effect, the petitioner filed O.A.No.3068 of 2004, dated 5.7.2004 and the same is pending. However, to evade the punishment during pendency of the case, the present writ petition has been filed challenging the G.O.Rt.No.160, Agriculture & Cooperation (vig.cell.II) Department, dated 23.2.2004, in which the petitioner seeking suspension of punishment.

2. We afraid we cannot accept this aspect.

3. Thus, we find that it is for the petitioner to wait for the final order of the O.A.

4. Accordingly, the writ petition is disposed of. However, we leave it open to the petitioner to file an application before the Tribunal for early hearing of the O.A.

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(G.BIKSHAPATHY,J)

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(P.S. NARAYANA, J)

Date: 03.03.2005

Ksn

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Principal Secretary, Government of A.P.

Agriculture & Cooperation (Vig.Cell.II) Dept.,
Sericulture Sector, Secretariat, Hyderabad-500022.

2. The Commissioner of Sericulture, A.P.Prasanna Nagar,

Jubli Hills, Hyderabad.

3 The Assistant Director of Sericulture,

Near Telphone, Exchange, Autonagar, Vijayawada-7.

4. 2 CCs to G.P. for Services-I, High Court Buildings, Hyderabad (OUT).

5. 2 CD copies

*Form-NIC-OGS/WP{**JA**}*